IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 6017 of 1999

For Approval and Signature:

Hon'ble MR.JUSTICE R.R.TRIPATHI

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : YES

2. To be referred to the Reporter or not? : YES

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

BHARATBHAI BALABHAI BHANGI

Versus

AMC

Appearance:

MR VB GHARANIYA for Petitioner

MR HS MUNSHAW for Respondent No. 1, 2

CORAM : MR.JUSTICE R.R.TRIPATHI

Date of decision: 05/05/2000

ORAL JUDGEMENT :

With the consent of the parties, the matter is taken up for final disposal. Mr.Gharaniya, learned advocate for the petitioner submits that the request of the petitioner for granting permission to pursue his studies in Diploma in Sanitary Inspector Course is not

considered by the authorities favourably and that the same is not granted.

2. Mr.Munshaw, learned advocate for the Municipal Corporation submits that as the timings of the diploma course and duty hours of the petitioner are the same, such permission cannot be granted. Mr.Gharaniya for the petitioner submits that his request for the said course may be considered by the authorities sympathetically in the event the timings of the course are in the evening, in that event permission may be granted.

3. In view of the aforesaid facts, the case of the petitioner is required to be considered by the authorities in light of the submissions made by Mr.Gharaniya that the petitioner will be seeking admission to diploma course, the timings of which may not be conflicting with the petitioner's office timings. The same shall be considered by the authorities sympathetically in accordance with law.

4. The petitioner shall make a representation within two weeks from the date of the receipt of this order. The respondent authorities shall decide the representation of the petitioner about granting permission within three weeks from the date of the receipt of such representation. Direct service is permitted. With this direction the petition is disposed of Rule is discharged with no order as to costs.

5th May 2000 (Ravi R. Tripathi, J.)

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